

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

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TYCO FIRE PRODUCTS LP,	)	
	)	
	)	
Plaintiff,	)	
v.	)	Civil Action No. 2:23-cv-02384-RMG
	)	
AIU INSURANCE COMPANY, <i>et al.</i> ,	)	
	)	
	)	
Defendants.	)	
	)	

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DEFENDANTS AIU INSURANCE COMPANY, AMERICAN HOME ASSURANCE  
COMPANY, GRANITE STATE INSURANCE COMPANY, INSURANCE COMPANY OF  
THE STATE OF PENNSYLVANIA, NATIONAL UNION FIRE INSURANCE COMPANY  
OF PITTSBURGH, PA., AND NEW HAMPSHIRE INSURANCE COMPANY'S  
NOTICE OF MOTION AND MOTION TO DISMISS OR STAY

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**NOTICE OF MOTION**

To:

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***Via E-filing***

-and-

Counsel of Record for all parties who have made an appearance, through e-filing.

**PLEASE TAKE NOTICE** that, pursuant to applicable authority, upon their memorandum of law, and the accompanying declaration of Christian Stegmaier, dated April 24, 2024, and the exhibits annexed thereto, and all prior papers and proceedings filed heretofore in this action, Defendants AIU Insurance Company, American Home Assurance Company, Granite State Insurance Company, Insurance Company of the State of Pennsylvania, National Union Fire Insurance Company of Pittsburgh, Pa., and New Hampshire Insurance Company (collectively, the “AIG Insurers”), by their undersigned attorneys, will move this Court at the J. Waties Waring Judicial Center, 83 Meeting Street, Charleston, SC 29401, on a date and time designated by the Court, for an order dismissing or staying these proceedings pending resolution of a first-filed and more comprehensive action pending in Wisconsin state court.

**PLEASE ALSO TAKE NOTICE** that Counsel states that this motion is excluded from Local Civil Rule 7.02 under Rule 7.02(D). *See* Local Civ. Rule 7.02(D) (D.S.C.).

**MOTION**

Defendants AIU Insurance Company, American Home Assurance Company, Granite State Insurance Company, Insurance Company of the State of Pennsylvania, National Union Fire Insurance Company of Pittsburgh, Pa., and New Hampshire Insurance Company (collectively, the “AIG Insurers”), hereby move the Court, pursuant to its inherent authority to control its docket and in light of recent developments, to dismiss or stay this insurance coverage action pending resolution of the first-filed, more comprehensive Wisconsin state court action. Specifically, the Court’s previous decision to maintain this duplicative, second-filed action was based on its determination that adjudication of key coverage issues prior to a water provider bellwether trial (then set for August 2024) was necessary to facilitate Tyco Fire Products LP’s (“Tyco”) evaluation of any potential settlement with the larger group of water provider plaintiffs and that this Court could resolve those questions more quickly than the Wisconsin Court. Since the Court’s previous decision, Tyco has settled with the water provider plaintiffs without any coverage rulings by this Court, and the Wisconsin action has materially advanced ahead of this action. In light of these developments, the AIG Insurers respectfully request that the Court exercise its inherent authority to control its docket and dismiss or stay this case pending resolution of the Wisconsin action.

April 24, 2024  
Columbia, South Carolina

Respectfully submitted,

COLLINS & LACY, P.C.

/s/ Christian Stegmaier

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